IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

GPNE CORP.,	\ \ \ \ \	
Plaintiff	§	
	§	Case No. 6:07-cv-60 (LED)
v.	§	
	§	
TIME WARNER CABLE INC;	§	
COMCAST CABLE	§	JURY TRIAL DEMANDED
COMMUNICATIONS, LLC; CHARTER	§	
COMMUNICATIONS, INC.,	§	
	§	
Defendants	§	
	§	
	§	
	§	
	§	

ORDER GRANTING AND STIPULATION OF DISMISSAL WITHOUT PREJUDICE

In view of the covenants, promises and other terms set forth in a Confidential Settlement, Patent License Agreement and Covenant Not To Sue (the "Agreement") executed between GPNE Corp. ("Plaintiff"), Motorola, Inc., Time Warner Cable Inc., Comcast Cable Communications, LLC, Charter Communications, Inc. ("Defendants") and their Affiliates

IT IS STIPULATED, by and among Plaintiff and Defendants, through their counsel of record and subject to the approval of the Court that:

- (1) All claims presented by the Complaint and Amended Complaint, as well as all defenses and counterclaims, shall be dismissed without prejudice as to each of the Plaintiff and Defendants; and
 - (2) Plaintiff and Defendants shall each bear their own costs and attorney's fees.

So ORDERED and SIGNED this 6th day of November, 2007.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE

/s/ Edward W. Goldstein

(w/ permission by Allen F. Gardner)

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